

## PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

F-590-01

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on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Application Number

10/692,568

Filed

October 24, 2003

First Named Inventor

Bruce Barrows

Art Unit

3628

Examiner

Jabr, Fadey S.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

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applicant/inventor.

\_\_\_\_\_  
/Michael J. Cummings/  
Signature

☐

assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

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Date

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Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.

Submit multiple forms if more than one signature is required, see below\*.

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\* Total of \_\_\_\_\_ forms are submitted.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	) Date: November 26, 2007
Bruce Barrows	) Attorney Docket No.: F-590-O1
Serial No.: 10/692,568	) Customer No.: 00919
Filed: October 24, 2003	) Group Art Unit: 3628
Confirmation No.: 9104	) Examiner: Jabr, F. S.

Title:      METHOD FOR AUTOMATIC BALANCING OF MAIL PROCESSING  
              ACCOUNTS FOR AN INSERTER SYSTEM

**PRE-APPEAL BRIEF CONFERENCE REQUEST**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request this pre-appeal review to consider the Examiner's rejections of claims 1-16 in a Final Office Action dated September 5, 2007. A Notice of Appeal is filed herewith. For convenience, the current claims are listed on Appendix A.

### Rejections Under 35 U.S.C. § 103

Claims 1-16 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Publication US2004/0193547 to Brookner ("Brookner") in view of U.S. Patent 5,777,883 to Lau ("Lau") and U.S. Patent 6,009,416 to Pintsov ("Pintsov").

The primary reference relied upon by the Examiner is Brookner. As will be explained further, Brookner is directed to a different type of system for solving a different problem than that recited in independent claim 1.

Claim 1 is directed to a system for automated account balancing of postage funds that are printed and spent during mail piece creation on an inserter system. For various reasons explained in the specification, after mail pieces have been created, it can be difficult to reconcile the funds remaining on the postage meter registers with the mail creation work that was done. For this purpose, the present invention provides an accounting technique that can automate the reconciliation process and simplify the computations needed to do the account balancing.

Part of the new process is the step of "defining mail piece blocks" as recited in claim 1. A block is a conceptual construct that represents a portion of the postage meter register data that appears not to have any internal problems or inconsistencies. At the boundaries of the "blocks" is where we find the "gaps" of missing information, or other problems. Definition of these conceptual blocks allows the final "accounting" step to efficiently focus on correcting problems at the gaps.

With this understanding in mind, it is evident that neither Brookner, nor the secondary Lau or Pintsov references include the "defining mail piece blocks," "identifying gaps between the defined mail piece blocks," or "accounting for mail pieces within the gaps" recited in claim 1.

The Examiner has acknowledged that Brookner does not include the "identifying" or "accounting" steps. Brookner is directed to an improvement for securely providing mail piece information to the Postal Service to ensure that discounts are properly allowed. However, Brookner says nothing about automatic balancing of the mailers own postal funds accounts.

Brookner does refer to "batches" which the Examiner appears to equate with the recited accounting tool of "blocks" in claim 1. However, "batches" are defined in Brookner as when "[a]ll frankings are, for example, of the same class and weight."

(Paragraph 51). Thus, it can be seen that reliance on Brookner's reference to "batches" does not correspond to accounting "blocks" as used in the claims of the present application.

The Pintsov and Lau references fail to overcome the shortcomings of Brookner. With respect to Lau, the Examiner relies upon that reference for the proposition that it would have been obvious to "include identifying all mail pieces not processed for the mail run." Page 5, Office Action. However, it can be seen that the rejected independent claim 1 has nothing to do with identifying mail pieces that were not processed. Rather, the claim is directed to balancing postage fund accounts for mail pieces that were produced. Accordingly, it is submitted that reliance on Lau for the missing features of claim 1 is incorrect.

#### CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that pending claims 1-16 are in condition for allowance and the Final Rejections should be withdrawn.

Respectfully submitted,

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## APPENDIX A

### Listing of Claims:

1. (Previously presented) A method for automatic balancing of mail processing postage fund accounts for an inserter system, the method comprising:

forming mail pieces on an inserter machine, the inserter machine comprising a postage meter for printing postage value on the mail pieces;

gathering register information from the postage meter while forming mail pieces, the register information including an ascending register of postage funds printed by the postage meter, a descending register of postage funds available for printing by the postage meter, and a piece count;

defining mail piece blocks based on gathered register information, the step of defining including assigning individual mail pieces to mail piece blocks using the following steps:

- (a) receiving register information indicating register status after a particular mail piece is processed;
- (b) comparing the register information for the particular mail piece as a function of the register information of a prior mail piece;
- (c) if the comparison is consistent with processing of a single mail piece, then assigning the particular mail piece to a same mail piece block as the prior mail piece, and otherwise assigning the particular mail piece to a new mail piece block;

identifying gaps between defined mail piece blocks and mail pieces within the gaps; and

accounting for the mail pieces within the gaps in accordance with a predetermined algorithm, the step of accounting further including considering a subset of mail piece blocks proximal to the identified gaps.

2. (original) The method of claim 1 wherein the step of accounting for the mail pieces within the gaps includes applying account information to the mail pieces within the gaps corresponding to account information from a previous block.

3. (Previously presented) The method of claim 1 further including a step of gathering postage meter print value setting information while forming mail pieces and wherein the step of comparing the register information for the particular mail piece further comprises:

(d) based on ending ascending or descending register information and the postage meter print value setting information for the mail pieces, calculating beginning ascending or descending register information for the particular mail piece before processing and comparing the beginning ascending or descending register information for the particular mail piece with the ending ascending or descending register information of the immediately prior mail piece to determine if the comparison is consistent with processing of a single mail piece.

4. (original) The method of claim 1 wherein the step of comparing the register information for the particular mail piece further comprises comparing a piece count for the particular mail piece with the piece count for the prior mail piece, and assigning the particular mail piece to a same mail piece block as the prior mail piece if there is an interval of one mail piece, and otherwise assigning the particular mail piece to a new mail piece block.

5. (original) The method of claim 1 further including a step of determining if mail piece blocks include overlapping mail piece information and eliminating duplicate data so that the same information is only accounted for once.

6. (original) The method of claim 5 wherein the step of eliminating duplicate data includes defining a negative block corresponding to the overlapping mail piece information.

7. (original) The method of claim 1 wherein the step of accounting further includes a step of defining a startpoint for performing balancing and an endpoint for performing balancing and whereby the startpoint and the endpoint encompass an identified gap and mail piece blocks bordering on the identified gap and whereby the step of accounting considers a range between the defined startpoint and endpoint,

including mail piece blocks and the identified gap, for the purposes of the predetermined algorithm.

8. (Previously presented) The method of claim 7 wherein the startpoint and endpoint are determined so that neither the startpoint nor the endpoint occur inside a mailpiece block, and whereby only one block ends at the startpoint and only one block starts at the endpoint.

9. (original) The method of claim 1 wherein the step of identifying gaps includes sorting mail piece blocks in consecutive order to find gaps.

10. (original) The method of claim 9 wherein the step of accounting includes creating a discrepancy block to fill an identified gap where a starting ascending register value of a second block is greater than a starting ascending register value of a preceding first block.

11. (original) The method of claim 10 wherein the step of accounting includes creating a negative block to cancel an overlap when the starting ascending register value of the second block is less than the starting ascending register value of the first block.

12. (original) The method of claim 11 wherein the step of accounting includes creating a funds block to balance a difference between a starting descending register value of the second block and an ending descending register value of the first block.

13. (original) The method of claim 12 wherein the step of accounting includes creating a zero postage discrepancy block to balance a difference between a starting piece count register value for the second block and an ending piece count register value for the first block.

14. (original) The method of claim 13 wherein the step of accounting further includes a step of defining a startpoint for performing balancing and an endpoint for

performing balancing and whereby the startpoint and the endpoint encompass an identified gap and mail piece blocks bordering on the identified gap and whereby the step of accounting considers a range between the defined startpoint and endpoint, including mail piece blocks and the identified gap, for the purposes of the predetermined algorithm.

15. (Previously presented) The method of claim 14 wherein the startpoint and endpoint are determined so that neither the startpoint nor the endpoint occur inside a mailpiece block, and whereby only one block ends at the startpoint and only one block starts at the endpoint.

16. (original) The method of claim 15 whereby the accounting steps are iterated for all blocks at or between the defined startpoint and endpoint.